

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,  
v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,  
v.

Adv. Pro. No. 10-04835 (SMB)

THE ESTATE OF DORRIS CARR BONFIGLI,  
and BARBARA BONFIGLI, in her capacity as  
executor of THE ESTATE OF DORRIS CARR  
BONFIGLI,

Defendants.

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL  
OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and Defendants The Estate of Dorris Carr Bonfigli, and Barbara Bonfigli, in her capacity as executor of The Estate of Dorris Carr Bonfigli

(“Defendants”), by and through their counsel, Davidoff Hutcher & Citron LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On January 4, 2012, the Trustee filed and served the Amended Complaint against Defendants.
2. On January 25, 2012, Defendants served an Amended Answer on the Trustee.
3. On September 2, 2014, the Parties entered into a partial settlement agreement and stay of further proceedings until resolution of Bankruptcy Code Section 546(e) appeal pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181].
4. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee’s claims against Defendants in the above-captioned adversary proceeding and dismissing the adversary proceeding without costs to the Trustee or Defendants.
5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.
6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: July 1, 2015

**BAKER & HOSTETLER LLP**  
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*Attorneys for Plaintiff Irving H. Picard, Trustee for  
the Liquidation of Bernard L. Madoff Investment  
Securities LLC and the Estate of Bernard L. Madoff*

**DAVIDOFF HUTCHER & CITRON LLP**

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*Attorney for Defendants*

**SO ORDERED**

Dated: July 1, 2015  
New York, New York

/s/ Stuart M. Bernstein  
HON. STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE